

House File 2260 - Introduced

HOUSE FILE 2260
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2043)

A BILL FOR

1 An Act relating to the mandatory retirement age of magistrate
2 judges.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.1610, subsection 1, paragraph c,
2 Code 2022, is amended to read as follows:

3 c. The mandatory retirement age is seventy-two years for
4 all district associate judges, associate juvenile judges, and
5 associate probate judges, ~~and judicial magistrates.~~

6 Sec. 2. Section 602.1610, subsection 1, Code 2022, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. d. The mandatory retirement age is
9 seventy-eight years for all judicial magistrates.

10 Sec. 3. Section 602.6403, Code 2022, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 4A. A magistrate judge that is subject
13 to retirement for reaching the age of seventy-eight may serve
14 the remainder of the unexpired term in lieu of retiring. A
15 magistrate judge shall not be reappointed to a new term upon
16 attaining seventy-eight years of age.

17 Sec. 4. Section 602.6404, subsection 2, Code 2022, is
18 amended to read as follows:

19 2. A person is not qualified for appointment as a magistrate
20 unless the person files a certified application form, to
21 be provided by the supreme court, with the chairperson of
22 the county magistrate appointing commission. A person is
23 not qualified for appointment as a magistrate if at the
24 time of appointment the person has reached age ~~seventy-two~~
25 seventy-eight.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill relates to the mandatory retirement age of
30 magistrate judges. The bill increases the mandatory retirement
31 age from 72 to 78, which is the same mandatory retirement age
32 of senior judges. The bill also provides that a person is not
33 qualified to be appointed as a magistrate if the person is 78
34 at the time of appointment. Under current law, a person who
35 reaches the age of 72 is not qualified to be appointed as a

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1 magistrate judge.